

**CHAPTER NO. 867**

**HOUSE BILL NO. 2644**

**By Representative Winningham**

**Substituted for: Senate Bill No. 2206**

**By Senators McNally, Crowe**

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7; Title 49, Chapter 8 and Title 49, Chapter 9, relative to higher education employees.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding a new section thereto, as follows:

Section 49-7-129.

The board of trustees of the university of Tennessee and the Tennessee board of regents shall adopt policies to govern reductions in force that could result in employee layoffs or terminations at their respective institutions of higher education. The policies shall provide a consistent and equitable method of reducing the work force when a reorganization or curtailment of operations becomes necessary. The policies shall, at a minimum:

- (1) Apply to regular, non-faculty employees;
- (2) Provide for a written rationale for any reduction in the work force;
- (3) Include identification of functional areas affected, a review of the budget implications involved, and the development of specific written criteria to be used in identifying duties that will be reassigned or eliminated;
- (4) Provide for the application of such factors as length of service in the position and at the institution, functional needs of the unit in selecting the affected employees, and the qualifications needed to perform the remaining duties of the affected unit;
- (5) Require written notification to the affected employees of a reduction in force as far in advance as possible; and
- (6) Provide an opportunity for affected employees to receive notification when vacancies for similar positions at their former campuses occur.

PASSED: May 20, 2004



JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES



JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 8<sup>th</sup> day of June 2004



PHIL BREDESEN, GOVERNOR